

TRUTH ACT

ICE CONTACT AND NOTIFICATION STATISTICS



BUTTE COUNTY SHERIFF'S OFFICE

2017 STATS

TRUTH ACT AND REASON WHY

EFFECTIVE JANUARY 1, 2018, THE LOCAL GOVERNING BODY OF ANY COUNTY, CITY, OR CITY AND COUNTY IN WHICH A LOCAL LAW ENFORCEMENT AGENCY HAS PROVIDED ICE ACCESS TO AN INDIVIDUAL DURING THE LAST YEAR, IS REQUIRED TO HOLD AT LEAST ONE PUBLIC COMMUNITY FORUM DURING THE FOLLOWING YEAR, AS SPECIFIED, TO PROVIDE INFORMATION TO THE PUBLIC ABOUT ICE'S ACCESS TO INDIVIDUALS AND TO RECEIVE AND CONSIDER PUBLIC COMMENT.

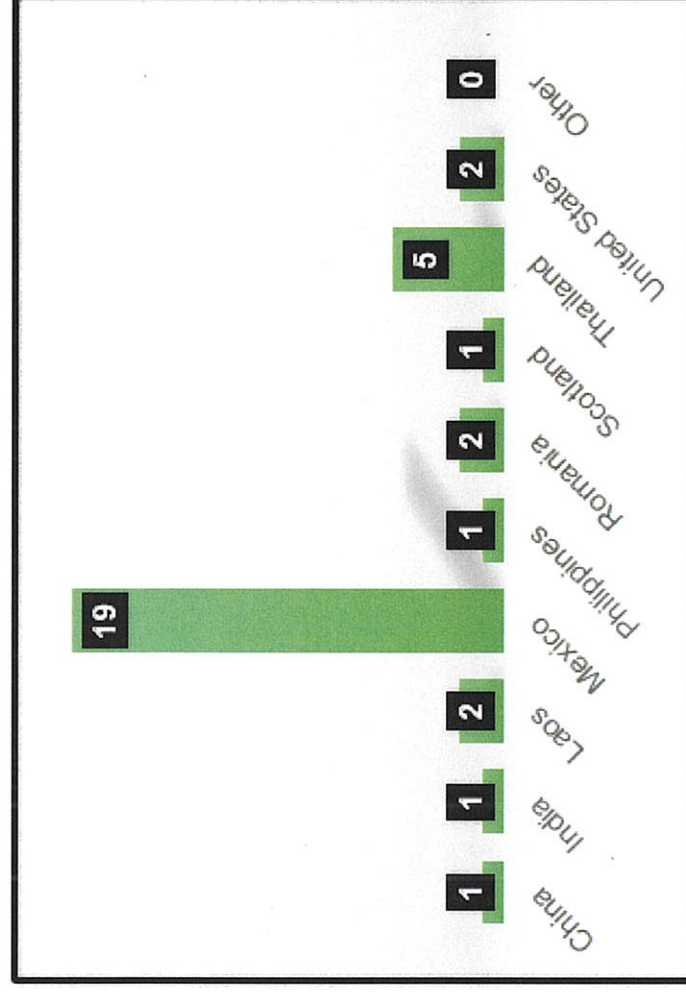
(SEC. 2783.1 CA GOV. CODE)

DATA COLLECTED FROM 2017

- IN 2017 THERE WERE 34 INSTANCES IN WHICH ICE REQUESTED BCSO EITHER HOLD OR PROVIDE RELEASE DATE INFORMATION FOR INMATE BOOKED IN THE BUTTE COUNTY JAIL.
 - THOSE 34 INSTANCES INVOLVED 31 SEPARATE INDIVIDUALS.
 - OF THOSE 31 INDIVIDUALS ICE ARRANGED TO PICK-UP 11 OF THEM.
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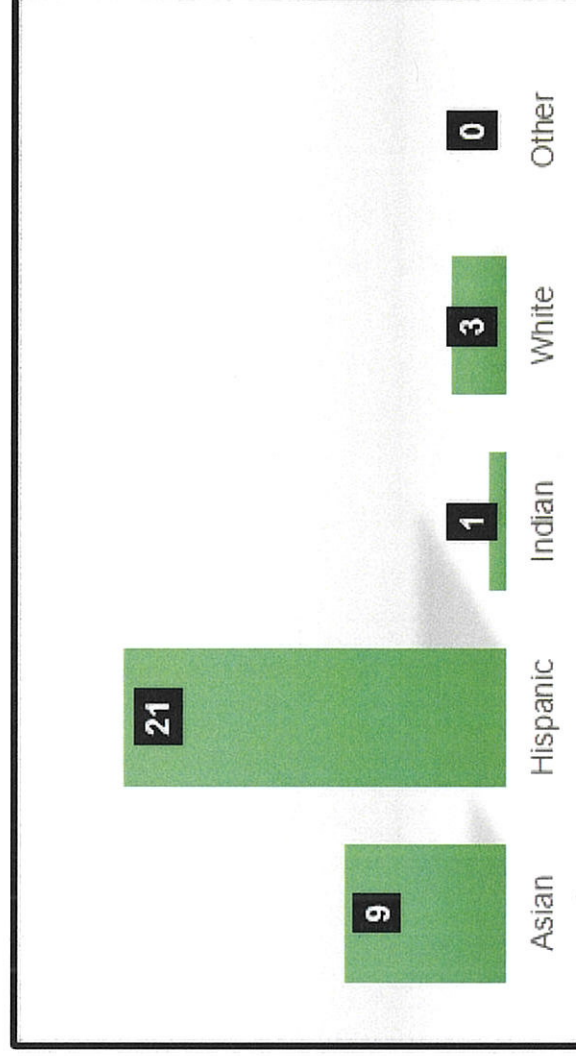
COUNTRY OF ORIGIN

China	1	2.9%
India	1	2.9%
Laos	2	5.9%
Mexico	19	55.9%
Philippines	1	2.9%
Romania	2	5.9%
Scotland	1	2.9%
Thailand	5	14.7%
United States	2	5.9%
Other	0	0.0%
TOTAL	34	



ETHNICITY

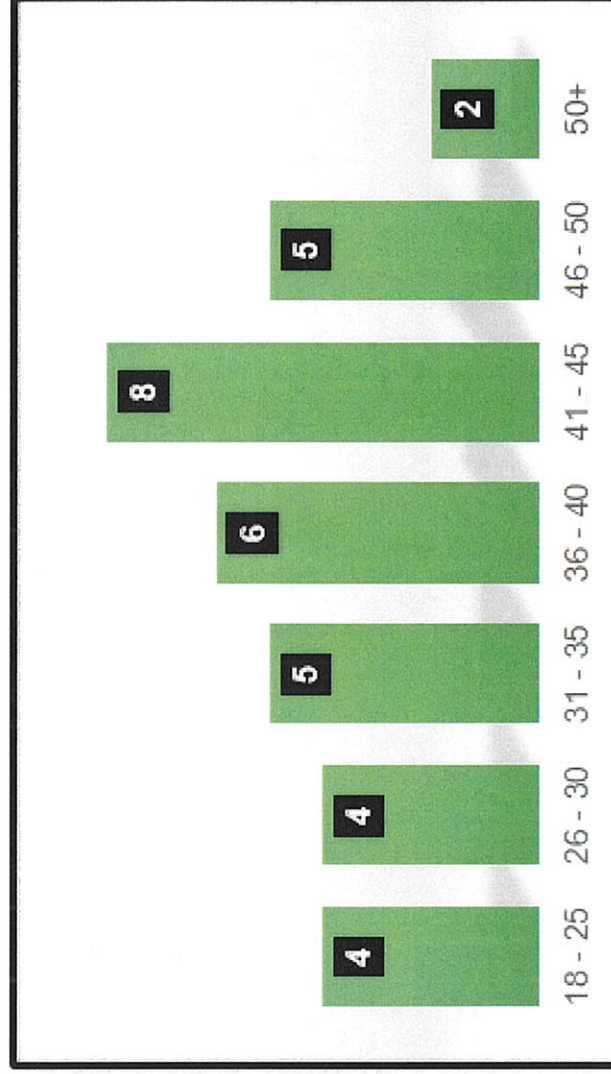
<i>Asian</i>	9	26.5%
<i>Hispanic</i>	21	61.8%
<i>Indian</i>	1	2.9%
<i>White</i>	3	8.8%
<i>Other</i>	0	0.0%
<i>Total</i>	34	



AGE RANGE

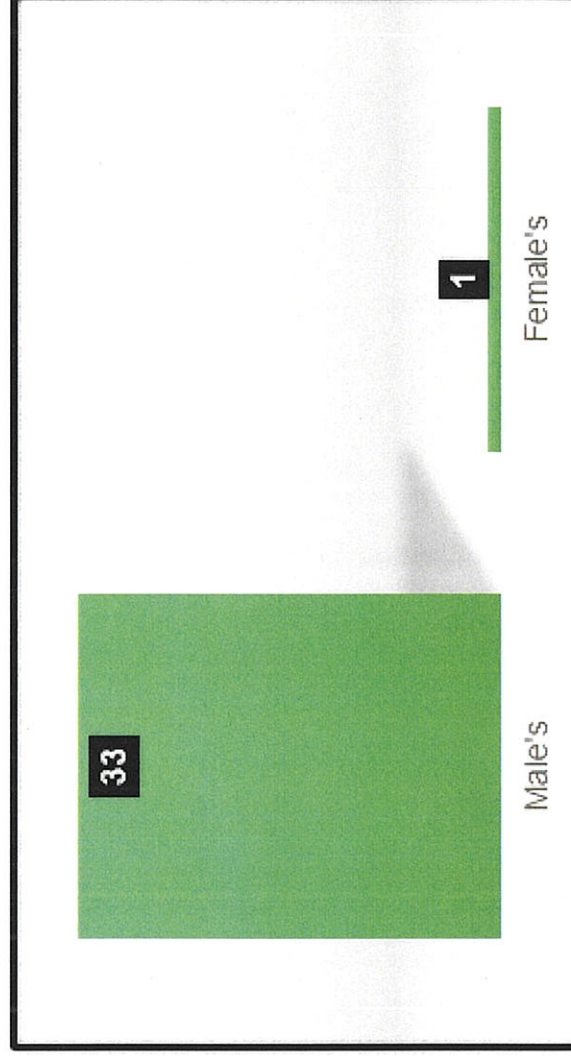
18 - 25	4	11.8%
26 - 30	4	11.8%
31 - 35	5	14.7%
36 - 40	6	17.6%
41 - 45	8	23.5%
46 - 50	5	14.7%
50+	2	5.9%

Average Age: 37.8



GENDER

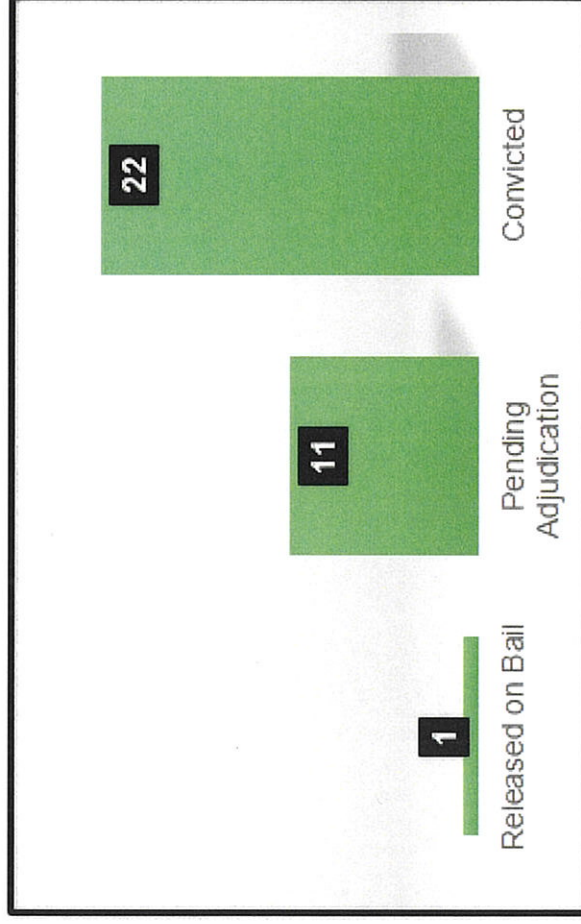
Male's	33	97.1%
Female's	1	2.9%
Total	34	



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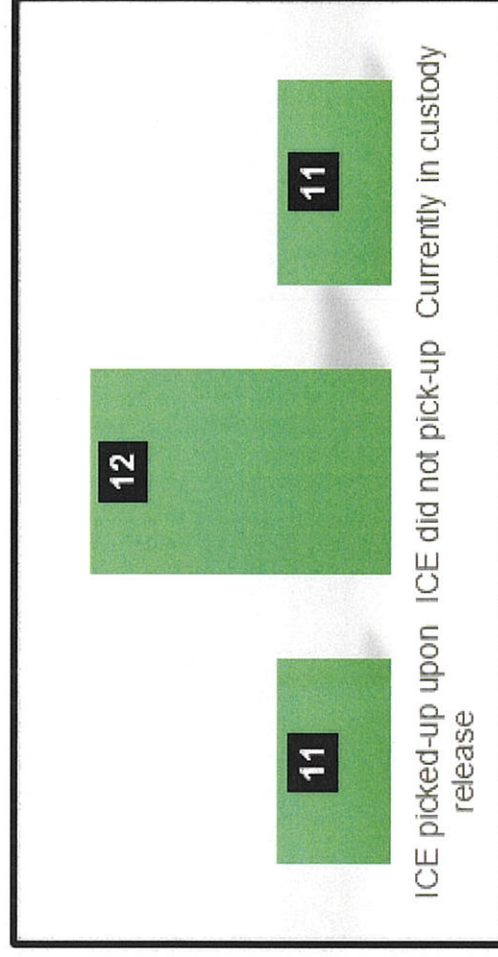
CASE DISPOSITIONS

Released on Bail	1	2.9%
Mis.	1	100.0%
Pending Adjudication	11	32.4%
Mis.	2	18.2%
Fel.	9	81.8%
Convicted	22	64.7%
Mis.	8	36.4%
Fel.	14	63.6%



TRANSFER CUSTODY TO ICE

<i>ICE picked-up upon release</i>	11	32.4%
<i>ICE did not pick-up</i>	12	35.3%
<i>Currently in custody</i>	11	32.4%
<i>Total</i>	34	



TRUTH ACT OVERVIEW

- The Jail booked 12,329 bookings for the 2017 calendar year.
- Of the 12,329 bookings only 34 arrests were involved with ICE
- Of the 34 arrests there were three individuals that came in twice.
 - This means there were actually 31 individuals in these stats.

CA VALUES ACT

LOOKING TO THE FUTURE

JAIL OPERATIONS:

AS IMPACTED BY CA VALUES ACT

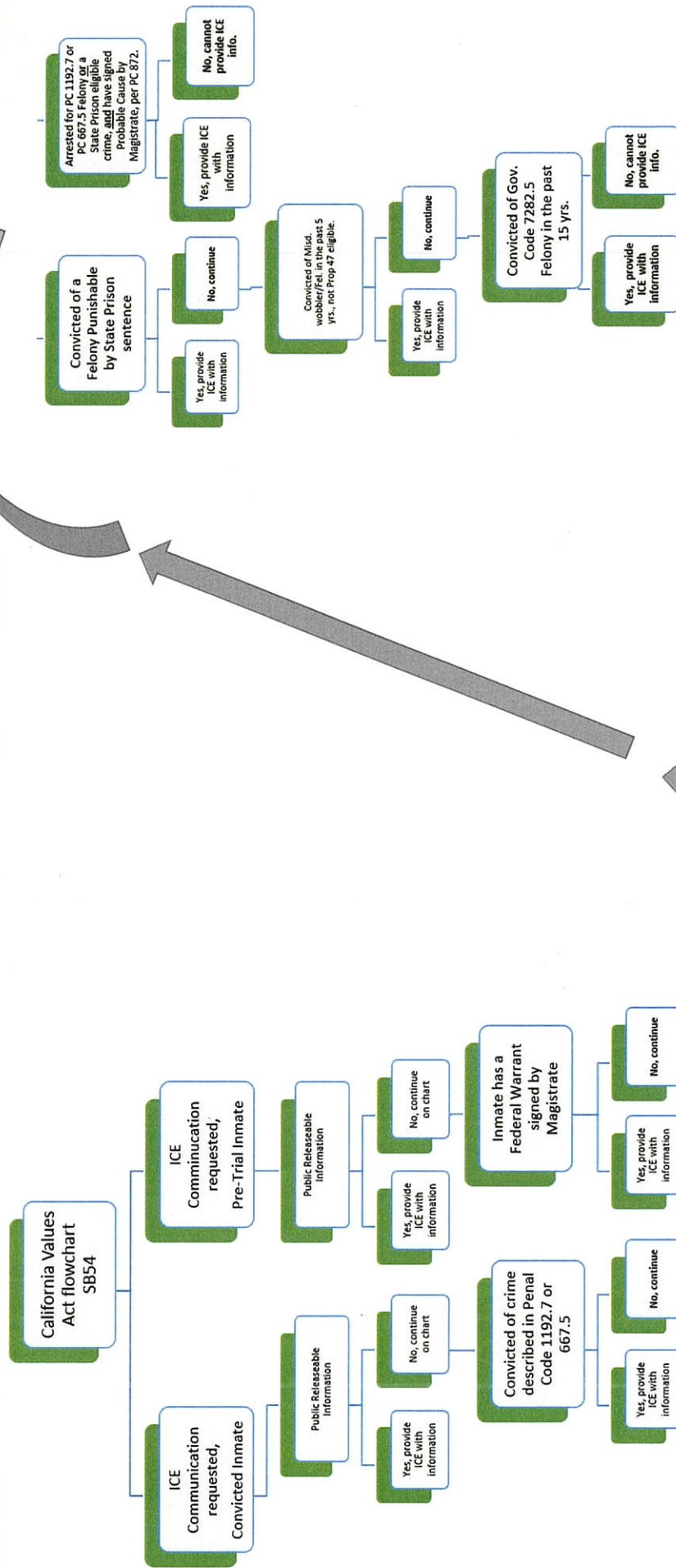
1) BCSO is prohibited from advising ICE of the release date of an inmate, unless:

- A) Release dates for all inmates are provided to the public, or
- B) The inmate has been convicted, within certain time frames, of serious (1192.7 PC), violent (667.5 C) or specified felonies or misdemeanors. (See 7282.5 GC), or
- C) There has been a determination, by a judge, that there is probable cause for the arrest of an inmate for a serious, violent or state prison eligible felony, or
- D) There is a warrant signed by a federal judge.

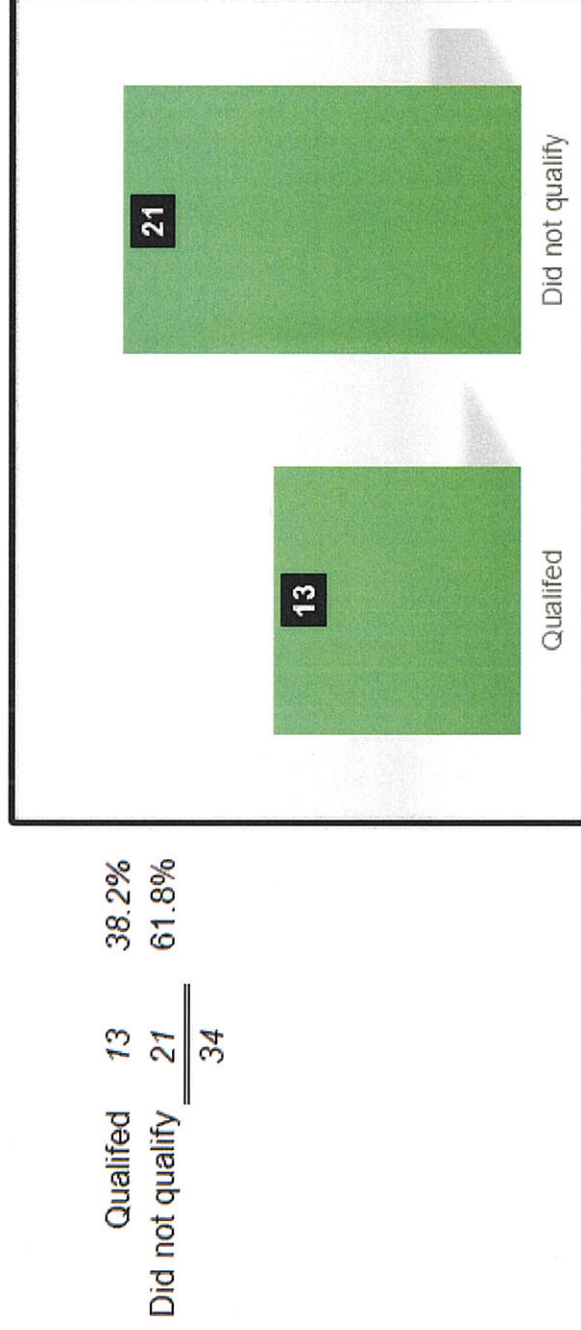
2) BCSO is prohibited from transferring an inmate to ICE custody, unless:

- A) The inmate has been convicted, within certain time frames, of serious (1192.7 PC), violent (667.5 C) or specified felonies or misdemeanors. (See 7282.5 GC), or
- B) There has been a determination, by a judge, that there is probable cause for the arrest of an inmate for a serious, violent or state prison eligible felony, or
- C) There is a warrant signed by a federal judge.

ICE FLOW CHART



FUTURE IMPACT OF THE CA VALUES ACT



FIELD OPERATIONS:

AS IMPACTED BY CA VALUES ACT

1. BCSO is prohibited from transferring to or assisting ICE with the arrest of a subject for violations of immigration laws, unless:
 - A) There is a judicial warrant,
 - B) There is a judicial determination of PC when the subject has been arrested for a serious, violent or state prison eligible felony.
2. BCSO may not cooperate with, transfer to or assist ICE with the arrest of a subject for violations of immigration laws, if the sole reason for contacting the subject was to investigate or arrest him/her for a Prop. 47 misdemeanor or crime.

HR 3003 ANALYSIS:

- H.R. 3003 clarifies U.S. Immigration and Customs Enforcement (ICE) Officers have the authority establish that probable cause exists for the issuance of a detainer.
- In addition, the bill withholds certain federal grants from jurisdictions that violate federal law by prohibiting their officers from cooperating with ICE.
- Jurisdictions that comply with detainers are protected from being sued.
- Victims of certain crimes are allowed to sue jurisdictions that refuse to comply with a detainer request if the released alien is released and commits a subsequent crime.
 - (This sets up a potential conflict between State and Federal Law.)
- Finally, the underlying bill includes Sarah and Grant's Law, which ensures unlawful immigrants convicted of drunk driving or are arrested for other dangerous crimes are detained during their removal proceedings.
 - (This sets up a potential conflict between State and Federal Law.)

QUESTIONS?